

City Council Special Called Meeting Transcript – 10/12/2017

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And then I am going to call to order, since we have a quorum present, the special called meeting for today, Thursday, October 12th, 2017. It is still 4:27 P.M. We have one item on the special called agenda. Do we have staff here for that? No staff for this? >> It is a public hearing related to the screening that you all discussed last time and asked us to bring back. For the international property maintenance code. >> Mayor Adler: Okay. We have one speaker to speak. Mr. Hirsch, do you want to come up and introduce yourself? You have three minutes. >> Thank you, mayor and members of the council. My name is Stewart Harry Hersh and like most in district 2, I own my own home. We're a ownership majority district even though we're low income. 40 years ago this week I walked into this building as an employee of the building inspection department to weatherize houses for low income homeowners in the city of Austin and Travis county. And I walked in to this building, I was handed a copy of the housing code, which had been only adopted in April of the year as a result of change in state legislation. And I know the staff is here because I've seen them earlier, and they're going to talk about a stakeholder process and that's fine with me, but I want to assure you that for 40 years in this town we've had laws that say if you get your ventilation for your house or your apartment naturally without air conditioning, you have to put screens on every window. It's been the law for 40 years. If you don't have air conditioning, you don't have to do that because you get

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your ventilation from a mechanical system. So the notion that we might have to implement screens on windows for the first time just means that people haven't had access to the 40-year-old ordinance that I've provided to you today. And I'm okay with the good folks at Austin code doing a stakeholder process on appropriate screening, but I beg you not to make me and everybody else who owns a house or an apartment complex and doesn't have screens on them because for 40 years the law said we didn't have to, it would drive me as nuts as the annexation people who just told you I would become a criminal on January 1st because I don't have screens on my window and somebody who doesn't like me might call it in. So if you pass what came out of building and standards and was recommended originally by staff, I think you get health and safety and sanitation outcomes you were looking for and you reinforce the good work that the people on the building and standards commission do. And so I urge you to approve the ordinance as originally recommended on second and third reading. If we want to have a separate

stakeholder groups on screens, I'm more than happy to do so, but I'm already starting the process to put in screens on my house because I have the resources and I don't want to be labeled a criminal on new year's day. Thank you very much. >> Mayor Adler: Thank you. Can staff explain to us quickly what this is? What we passed on first reading, what the recommendation is, if they're different? >> Yes, thank you. Cora Wright, director of Austin code. Council, you passed the draft ipmc on October 5th on first reading with some direction to staff to go back and take a look at the

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idea of adding back provisions that pertain to insect screening and during that conversation we also heard similar conversations that were heard at bsc concerning the impact to complaints from an affordability standpoint that once provisions are added what will we do for certain segments of our community who might not be able to afford the -- cost of installing insect screens. And so you tasked us to go over the last two weeks -- it's only been a week, but to go back and take a look at that and come back with recommendations. So as of today what I would like for mayor and council to know is that we've begun the work of looking at community resources that might be available to certain segments of the population based on their income to get additional resources. We have not completed that work, but we're very interested in completing it. And some of the things that we're looking at is to look at city services that provide fund R. Funding for housing repair. There are several departments that are in some form of support for residents as well as community resources and non-profits. We would like the opportunity to finish that work. And secondly, I think the second provision that came up that day was the idea of responding to the Austin apartment association who requested an additional extension for the carbon monoxide requirements. So today what staff is recommending is that we move forward with the adoption of the draft ipmc as was presented on October 5th to give us some additional time to come back and revisit the staff recommendation to be a C on the screens and to hear again from the stakeholders and to make more reformed recommendations and come back to you on the screening aspect just before your July break. So in June.

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And then secondly, on the carbon monoxide requirements that we would extend an additional 90 days to our apartment association members, stakeholders, to clear up for the new requirement on the carbon monoxide detectors. So we would ask that council adopt the ipmc on your draft that you have before you today on the last page I think on page 28 are the two points that I've made that 1, we would come back in June with recommendations that are fully vetted. And also at that time provide information about resources that may exist at that time. And then start-- bring into effect the carbon

monoxide requirements in April instead of January. >> Mayor Adler: Thank you. Councilmember alter?
>> Alter: I was just wondering why or maybe you were considering it. Is it an option if you have air conditioning you don't have to have a screen -- >> Currently in new construction you're not required to have screening, however the building design is such that new houses that are built come with screens. And are also for the most part air conditioned. We want to look at that again. I understand, and we have talked a little bit with Mr. Hirsch about what we used to require in the code back in 1977, and so what we'd like to do, because I think the issue council is having a concern with are those individuals who don't live in air conditioned buildings and may not have the ability to pay for the cost of the repair or minor installation of screens. >> Alter: But there's a part of the code that applies to new housing and the part that's retro -- >> Correct. Right now the building code does not require air

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conditioning, however you will see that for the most part in Texas our buildings are air conditioned. >> Alter: I guess what I'm struggling with is understanding how this applies to existing housing versus the new housing. >> What's before you, there are no screening requirements in the provision that's before you right now. What we're proposing to do is to revisit that because at one time they were required. But we would like to look at what the true impact might be to those who may not have the ability to pay for installation of screens and see what resources may be available. >> Alter: So in the prior version we had that. >> Way, way back before you were born -- no, I'm kidding. Back in 1977. >> Alter: I was born before then, but that's okay. Glad you think I wasn't. [Laughter]. >> Mayor Adler: So what's being recommended today is -- is not a requirement on screens? >> Defer requirements on screens for now, allow staff to come back in June before your break with recommendations. >> Mayor Adler: So what's being proposed now is adoption of something that does not require screens? >> Yes, correct. >> Mayor Adler: And that gives an additional 90 days for the apartment association to do conversion for -- >> Yes. >> Mayor Adler: Is -- have we had a motion on this yet? Is there a motion on this? Do we want to continue talking? Ms. Houston? And then middle school. Mount Ms. Wright, would you clarify for me one more time about the carbon monoxide? >> So section 705 of the draft speaks to a new provision that requires carbon monoxide detection systems. >> Houston: No. Will that be deferred or is that going to be implemented? >> The effective date we're proposing would be extended an additional 90 days. >> Houston: Okay. S. >> Mayor Adler: Ms. Pool?

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>> Pool: So I have a couple -- >> Pool:, so I have a couple of questions just on a safety area. If the homes are more than one story do we currently without these changes require screens on windows that open?

>> No, not that I'm aware. No. >> Pool: And I think that's really important that there be a barrier, so children especially for windows -- don't foul off a window, even on the first floor it wouldn't be as far, but certainly on upper stories. >> I think you're raising all the conversations we would like to have over the next few months because we want to be sure that we're making a recommendation that considers anything that might ensure a high level of safety. Let me see if I can get clarification. Okay. We're good. >> Pool: And I would just remind everybody that is I think we have rules on how wide the space is allowed to be on fences and balconies so kids can't get their heads stuck between the rails, so it seems counterintuitive that we also wouldn't then require some kind of barrier, even if it's permeable, so if the window can be opened, and it is opened, that someone doesn't fall out. >> Yes. I don't want to be premature, but I would like to suggest that we'll probably come back with a requirement, but we would want to be able to speak to what might be available to those who would have difficulty paying for the legislation of those screens -- for the installation of those screens. >> Pool: Thank you. >> Mayor Adler: Further discussion on the dais? Is there a motion to approve this with the -- Ms. Pool makes the motion. Is there a second to that motion? Ms. Garza -- >> Garza: I'll second it, but I have a question. I'm just trying to understand some of the questioning because you were saying things and Mr. Hirsch was nodding no. So I'm trying -- can you come up, Mr. Hirsch, because

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I don't understand. >> The property maintenance code prohibits infestation by insects and rats and that sort of thing. If you're not air conditioned you have to have natural ventilation, which is also a requirement of the property maintenance code. And you can only accomplish those two things by having screens if you don't condition your house. So we have screen requirements in new construction and in existing buildings, and we've had them for 40 years. What we're talking about doing is saying that's not good enough. And for all of us who don't have screens and are air conditioned, you would have to retrofit your house. That's what the debate is about. What has come before you as staff recommendation last week simply said do you have to put on screens if you have natural ventilation, the issue that one of the councilmembers raised about I don't have air conditioning into my bathroom and I opened the bathroom window and the bugs get in. That's absolutely right. And that's illegal for 40 years in this town. So what the debate will be about in the stakeholder process is is that good enough or do we need to go beyond that and say that all of us who legally had our houses built when screens weren't required now have to promote a cottage industry to retrofit every home and apartment in Austin, Texas. And we don't have an affordability impact statement that tells us what that's going to cost, but I'm going to find out soon because I'm working with a contractor to find out what that entails. So that's where -- that's where I think I and the staff disagree about the implications of not acting on screens today. I think we're getting into the areas where it affects safety and sanitation. >> Garza: But your disagreement is not -- that's something that will happen during the stakeholder process. What you would -- what you were recommending was to approve what's before us

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today. Is that correct? >> Yes, please. Yes, because it gives us at least the level of safety we've had for four decades. >> Garza: Thanks. >> Mayor Adler: It's been moved and seconded. Mayor pro tem? >> Tovo: Mayor, I just want to clarify. It's my understanding that actually screen requirements are part of the international building code and we except those out. We are removing those in our adoption. Is that accurate? And I guess what -- and so we can have this discussion. I don't want to talk about the screens right now. But I do think there's merit to thinking about whether even those in air conditioned settings might have the option of having a screen and it's of particular interest to me to have that conversation and with regard to our apartments throughout town. So I think there are varying levels of screen implementation and I hope the stakeholder group can talk about that. I do think the restrooms are a high priority. One thing that does concern me a little bit is when we did not pass this on three readings, we passed it on one, to come back and talk about screens, we now seem to have lost a little bit of ground on implementation of the carbon monoxide detector, which I understand was part of the staff's priority to make sure that we had that as part of it. So can you help me understand why that's -- why we're changing that? >> One, councilmembers spoke to the need to make sure that we go through an educational process. We like to do that to give time for the community, including our stakeholders with the Apa. The educational period, so that everyone has the right information and what that's going to require. And after further conversation with staff we thought that we could afford the extension of an additional 90 days for the extension. The request was for a year. And so we're only suggesting that we do 90 days instead

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of -- >> Mayor Adler: Okay. Any further discussion on this? It's been moved and seconded. Ms. Pool? >> Pool: Just one last thing I would say to point with air conditioned homes, if you don't have the screen, but you decide you don't want to run the air conditioner because you want to save the money and you don't have screens when you open your windows, then you are going to get that bug infestation. So I'm going to come down on the side of the screens just because I also want everybody to have the opportunity, even this they have air conditioning, to open their windows and have the fresh air come through the house. Okay, thanks. >> Mayor Adler: Already all right. It's -- all right. It's been moved and seconded. Those in favor please raise your hand? Those opposed? Mr. Renteria votes no, the others voting aye. This item passes. Council, that's everything on our agenda, save and except live music and proclamations. So we will adjourn this meeting here at 4:44. With music and proclamations coming up. And there was an additional proclamation, councilmember alter, that wasn't shown that we're going to

do? >> Alter: Yes, that's in Lori Lowe of Gibb reality. I hope everyone can join us. >> Mayor Adler: All right. This meeting stands adjourned.

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>> Mayor adler:all right. We're going to go ahead and get started here. We are, as I frequently say it, at my favorite part of city council meetings. And I think that we're only city council in country that regularly the every council meeting breaks or stops or hangs around for live music since we are the live music capitol of the world, and if you've been to some of our council meetings, you would understand why it is so important for us to break and have some live music. And today it's kind of a different kind of a thing because it's not just hearing from an artist, but it's recognizing a program, and that makes it kind of a special day. So this is a proclamation where we're going to recognize James mays, founder of the band aid school of music. He is the creator of south by southwest underage. The kids are all right fest, the band aid school of music. Mays has serviced as production of the Miami music festival and assistant producer of south by southwest music and a producer of the Austin city west festival. His music can be heard in film, televisions, commercials for Nike's game changers. Mays primary mission is to nurture the next generation of Austin musicians and today he has invited Caroline parker, a student at the band aid school of music, to perform an original song. So please join me in welcoming Caroline parker and James mays. Thank you for being here. [Applause]

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[Applause] >> Thank you. >> Mayor Adler: That was great. Thank you so much. So, Caroline, if people watching on TV here now or -- wanted to hear you play, therefore -- do you have, like, a website or a place that you play that -- a gig that they could show up at? >> I'm on sound cloud. You can look me up at Caroline parker, my EP is called ghost town. >> Mayor Adler: Great. Well, thanks a lot for being here. >> Thank you. >> Mayor Adler: Thank you. [Applause] >> Mayor Adler: James, you want to tell us a little bit about school or some of the other activities you're doing? >> Sure, yeah. Band aid school of music was founded in 2008. We're the national champion rock band school from right here in Austin, Texas. >> Mayor Adler: Cool. [Applause] >> So, you know, we're about empowering people with the lifelong love of music. That's really what we're about. We're really grateful to receive this honor, and I would like to just say that, you know, power of music in Austin is here because people who are committed to it, and it takes more than a mayor and it takes more than city council to keep Austin music alive and thriving and to continue being the live capitol music of the world, so I want to call everyone who is hearing this to action to do your part, and I'd like to make sure that October 12th, which is James mays founder of band aid school of music day, is used to support Austin, music. On October 12th I'd like you all to committing to see a show, buy a record from an Austin artist, or just play a song. >> Mayor Adler: That would be great. You've kind of ruined the surprise but now let's

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formally declare that day that day. Laugh latch I'll do this with councilmember kitchen. I think you're in her district. So a proclamation. Be it known that whereas the city of Austin, Texas, is blessed with many creative musicians whose talent extend to virtually every musical general ray, genre, and whereas our music scene thrives because Austin -- and whereas we are pleased to showcase and support our local artists, now, therefore, I, Steve Adler, mayor of the live capitol, together with councilmember kitchen and other councilmembers on the dais do hereby proclaim October 12th, 2017, as James mays founder band aid school of music day in Austin, Texas. Congratulations. >> Kitchen: And I want to add that band aid school of music is on the awesome, awesome Thorton road area, which has many, many wonderful musical and artists on that road. So thank you so much. >> Mayor Adler: Thank you. [Applause]

[5:40:57 PM]

[Applause] >> Hello, I'm mayor pro tem Kathie tovo, I represent city council district 9 and I have the honor of presenting a proclaiming on behalf of Ronald McDonald of Texas, and you see I've joined by mayor Adler, councilmember alter, and Tina Schneider, the director of communications and she's going to speak to us in 30 years. For more than 30 years Ronald McDonald charities of central Texas has been serving families and children in our area. They have a variety of programs. Of course you may be familiar

with the Ronald McDonald house, which provides a place for children to and families to stay so they can be close to hospitals for children who are seriously ill. The parents and family members can be close but have a place to go that's not in the hospital so they can be involved in their children's care and very active there, but have a bit of respite from the hospital area. Ronald McDonald charities of central Texas has other programs as well. They have a happy wheels carts, which provide complimentary items to families who are with their children in the hospital, and they have some other programs as well. This Saturday will be Ronald McDonald house charities global change day, and so spare change dropped in donation boxes throughout central Texas will help fund some San Francisco these programs. Last year, this happened throughout the U.S., and raised more than \$28 million for Ronald McDonald charities and families they serve. So I'd like to present this proclamation in honor of Ronald McDonald house charities and global change day. Be it known that whereas Ronald McDonald house charities of central Texas supports programs that

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directly improve the health and well-being of children and their families throughout central Texas and whereas Ronald McDonald house charities of central Texas provides lodging, meals, and support to families with children receiving treatment at local hospitals and medical centers, and whereas Ronald McDonald house charities of central Texas will participate in the Ronald McDonald house of charities global day of change on October 14, 2017, of the very first Ronald McDonald house on October 15, 1974 and whereas the global day of change is an opportunity to remind patrons that buy dropping spare change into a donation box at a local McDonald's restaurant they are help keep families close in their greatest time of need. I therefore, Kathie Tovo, on behalf of mayor Adler proclaim October 14, 2017 as the Ronald McDonald house charities global day of change in Austin, Texas. Congratulations. [Cheers & applause] >> Thank you very much. >> Tovo: If you'd like to -- >> Sure. Thank you so much. On behalf of the thousands of children and families we serve, we want to thank the city of Austin for recognizing day of change. Each dime, nickel and quarter that's donated in these donation boxes in the McDonald's restaurants really makes a difference to the families that rely on our services. I would also like to thank and acknowledge the central Texas McDonald's owner operators who generously host campaigns on our behalf, who volunteer on our committees and our board, and who truly bring our mission to life. So this Saturday, October 14 is day of change. So as you go through McDonald's and get your coffee and sausage biscuit, I encourage you to throw your change in donation boxes. If you're using your debt card I'm sure there's change in your car somewhere, fish around and it and don't it because -- donate it because it really does make a difference to our children

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and families. Thank you. [Cheers & applause] >> Mayor Adler: all right. We have a proclamation. This is a proclamation that's going to be accepted by Priscilla Cortez, who is the executive director of volunteer legal services, also by Susan Kidwell, who is the board chair of the volunteer legal services, and by Nancy Gray with the bar association. The proclamation, be it known that whereas the Austin bar association and volunteer legal services of central Texas work together to improve access to delivery of legal services for all and whereas the Austin bar association and the volunteer legal services of central Texas join the American bar association to promote pro Bono legal

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services and recognize the contribution of valuable legal services by Austin attorneys to those in need during celebrate pro Bono week, and whereas pro Bono legal services are a great benefit to the citizens of Austin and contribute to the effective and efficient administration of justice and whereas celebrate pro Bono week in Austin will feature legal clinics assisting homeless youth and veterans in need and provide an opportunity for Austin's legal community to donate their time to improve the lives of vulnerable members of our community, therefore, I, Steve Adler, mayor of the city of Austin, Texas, on behalf of the colleagues on the council, councilmember Alter and the others, do hereby proclaim October 22-28 of the year 2017 as celebrate pro Bono week. Congratulations, and tell us something about it. [Applause] >> Thank you so much, Mayor Adler. I'm Susan Kidwell, president of the volunteer legal services board. VLS has thousands of Austin area volunteers who are paired to provide legal services pro Bono to many low-income residents of Travis County who others would have a very difficult time accessing the justice system. Priscilla is our executive director and she and VLS staff do a fabulous job managing these cases. Basically we do a lot of family law cases because people have problems that required the court system. A lot of -- debtor's prison is a hot issue, consumer cases. We try to help people who wind up in situations that they would otherwise have a really difficult time. The Austin bar association is our long-time partner in this, and they together I think that we really do the best to rally our local Austin attorneys, so for those of you who think of attorneys on -- this is

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attorneys really doing good, doing what we can to ensure that poverty is not a barrier to justice. So on behalf of the board, on behalf of VLS and its staff and on behalf of the Austin bar association as well, thank you so much, Mayor Adler. We're honored and privileged to be recognized today. So thank you. [Applause] >> Good evening, my name is Allison Alter, and I'm councilmember representing district 10. Tonight it's my honor to celebrate a dear friend, Laurie Lowe. Laurie is the founder of Give Reality which gives 25% of its commission to the nonprofits of the choice of its clients. And we talk a lot very often

about give reality and the money that it has provided to fund so many nonprofits in the our community, and I'll talk about that a little bit in the proclamation, but I want to talk a little bit more about the personal impact that Laurie has had on me, and Laurie was literally my

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first friend in Austin and I think it's pretty safe to say that I would not be standing here today without Laurie's inspiration and her encouragement. It was Laurie that got me to do leadership Austin, Laurie who got me involved in impact Austin, and Laurie who inspired know start my own business. And just every day and everything that she does, she helps people all over Austin to contribute to our community in ways they never imagined they could. And so it's my honor to do this proclamation. Be it known that whereas as a long-time resident of Austin, Laurie Lowe has made a positive difference in the community through her outstanding service and generous and compassionate nature, both personally and professionally. And whereas Laurie Lowe founded give reality incorporated in 2008, which gives 25% of its commissions to the charity of their clients' choice and to date that is given approximately \$700,000 to nonprofits with over 80% of that to local causes such as safe alliance, Austin pets alive, capital area food bank, plan parenthood, whereas Laurie is passionate about creating positive change in the community and dedicated to helping her clients and friends do the same, as a pioneer in the social entrepreneurship movement she's inspired others through her service such as leadership Austin, hart house Austin -- and mentoring authors and whereas this proclamation commemorates the special person Laurie is and the enormous impact she has on this community, Austin extends their gratitude and appreciation, therefore, I, Allison Lityer and Steve Adler and Ora Houston do hereby proclaim October 12, 2017, as Laurie Lowe day. [Cheers & applause]

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>> Oh, fun. Thank you so much. This means so much to me. And it's so great to have all my Austin family and a brother here from Ohio visiting as well. When I decided to do this, I was embraced by the Austin entrepreneur community, and I can honestly say that I could have not done give reality in any other city than Austin. Austin has been a wonderful city to start a business and create a business and, most importantly, give back to. And I noticed Ronald McDonald house had a proclamation today, and we -- we donated or through our client donated 24,000 quarters to get them started, about \$6,000. [Applause] And, again, I'm really, really humbled, I'm really humbled and very happy to be here. And so amazingly honored to be able to help our community. It's a beautiful one, and Alls I can say is if the give reality business model keeps Austin weird, let's make Austin a lot weirder. So -- [cheers & applause] >> Thanks again. >> Alter: We're going to take a picture with the mayor and all the councilmembers but I know

Laurie has a whole lot of friends who are here and since we have a photographer if you want to come down as well, I would invite you.

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